

Attorney Docket No.: 2000P13034WOUS

AMENDMENTS TO THE DRAWINGS:

Please enter the enclosed replacement Figure 1 of the drawings in the record.

REMARKS

Claim 15 has been amended. Claims 8 – 15 are pending in the application.

In the Office Action, the drawings are objected to. Also, in the Office Action, claims 8, 10, and 11 are rejected under 35 U.S.C. §102(b) as being anticipated by WO 98/33426. Additionally, in the Office Action, claims 9 and 12 - 15 are rejected under 35 U.S.C. §103(a) over WO 98/33426 in view of DE 35 01 364.

With respect to the objection to the drawings, Applicants have submitted a revised sole figure of the drawings herewith now showing a dotted leader line for reference numeral 13. Thus, it is respectfully submitted that the objection to the drawings is now overcome.

With respect to the rejection of claims 8, 10, and 11 under 35 U.S.C. §102(b) as being anticipated by WO 98/33426, favorable reconsideration is respectfully requested in view of the following comments.

Claim 8 of the present application recites a dishwashing machine having a dishwashing machine housing with an internal height and a pair of retractable pull-out upper and lower containers mounted one above the other in the housing. Each of the retractable pull-out containers contains a dishwashing system and the upper and lower containers have a total height less than the internal housing height.

WO 98/33426 discloses a dishwashing machine that, according to Page 3 of the Office Action, comprises a dishwashing machine housing [Fig. 8] having an internal height; a pair of retractable pull-out upper and lower containers [202a, 202b] mounted one above the other in the housing; each of the containers containing a dishwashing system; and the containers have a total height less than the internal height of the housing as readily apparent to the examiner. The lower container capable of being arranged adjustably above a recess on the housing as is known in the art. The containers having different heights with the upper container having a height greater than the height of the lower container [Fig. 7].

With respect to the rejection of claims 9 and 12 - 15 under 35 U.S.C. §103(a) over WO 98/33426 in view of DE 35 01 364, favorable reconsideration is respectfully requested in view of the amendment of claim 15 and the following comments.

DE 35 01 364 discloses two pairs of adjustable feet (2) for an appliance housing.

It is submitted that neither WO 98/33426 nor DE 35 01 364, either alone or in combination, teach or disclose the dishwashing machine recited in claim 9 of the present application. For example, claim 9 of the present application recites that the housing of the dishwashing machine recited in claim 8 of the present application has a pair of opposed sides and a base, each of the retractable pull-out upper and lower containers having a front piece and being mounted in the housing such that the retractable pull-out upper and lower containers are located between the opposed sides of the housing and the front pieces of the of retractable pull-out upper and lower containers form a front of the dishwashing machine. Claim 9 of the present application also recites that the lower container is above the base of the housing and the dishwashing machine further includes means, extending between the dishwashing machine and a surface on which the dishwashing machine is to be supported, for maintaining the base of the housing at a height above the surface on which the dishwashing machine is to be supported.

WO 98/33426 does not teach or disclose a dishwashing machine having a housing whose sides and base are raised above a surface on which the dishwashing machine is supported. Instead, as seen, for example, in Figure 8 of WO 98/33426, that reference discloses a dishwashing machine having a housing whose sides extend to the surface on which the dishwashing machine is supported and whose base rests on the surface on which the dishwashing machine is supported. DE 35 01 364 does not teach or disclose a dishwashing machine having upper and lower pull-out containers, as recited in claim 8 of the instant application.

It is further submitted that neither WO 98/33426 nor DE 35 01 364, either alone or in combination, teach or disclose the dishwashing machine recited in claim 15 of the

present application as currently amended. For example, claim 15 of the present application as currently amended recites additional features of the dishwashing machine as recited in claim 8 of the present application which, as recited in claim 12 of the present application from which claim 15 ultimately depends, has means for maintaining the base of the housing at a height above the surface on which the dishwashing machine is to be supported and which, as recited in claim 13 of the present application from which claim 15 ultimately depends, includes a pair of front and a pair of rear installation feet attached thereto with each of the opposed sides of the housing including a forward portion extending between an edge of the respective opposed side that is adjacent one of the upper and lower pull-out containers and a back portion of the opposed side and with the forward and back portions of each of the opposed sides of the housing each having a bottom edge with the bottom edge of the forward portion of each of the opposed sides of the housing being higher than the bottom edge of the back portion of each of the opposed sides of the housing, whereby a pedestal recess is formed under the forward portions of the opposed sides of the housing that has a depth extending from the front of the dishwashing machine to the back portions of the opposed sides of the housing and has a height above the surface on which the dishwashing machine is to be supported that is greater than the height of the back portions of the opposed sides of the housing above the surface on which the dishwashing machine is to be supported and the pair of front installation feet being set back on the housing from the front of the dishwashing machine at least as far as the depth of the pedestal recess.

Specifically, claim 15 of the present application as currently amended recites the additional features that the dishwashing machine includes a base panel set back by the depth of the pedestal recess and the feature that the bottom edge of the back portion of each of the opposed sides of the housing is at a height above the surface on which the dishwashing machine is to be supported such that the bottom edge of the back portion of each of the opposed sides of the housing does not contact and is not supported on the surface on which the dishwashing machine is to be supported. The base panel recited in claim 15 of the present application as currently amended extends between the base of the housing and the surface on which the dishwashing machine is to be supported with the pair of front and the pair of rear installation feet being disposed below the base of the housing and the base panel has a height

substantially that of the height of the pair of front and the pair of rear installation feet below the base of the housing and is set back on the housing from the front of the dishwashing machine at a depth less than the depth at which the pair of front installation feet are set back on the housing, whereby the base panel covers the pair of front installation feet from view from the front of the dishwashing machine.

WO 98/33426 does not teach or disclose the dishwashing machine recited in claim 15 of the present application as currently amended. For example, each of the sidewalls 207 of the arrangement disclosed in WO 98/33426 extend to the floor surface on which the dishwasher of WO 98/33426 is supported. In contrast, the bottom edge of the back portion of each of the opposed sides of the housing of the dishwashing machine recited in claim 15 of the present application as currently amended is at a height above the surface on which the dishwashing machine is to be supported such that the bottom edge of the back portion of each of the opposed sides of the housing does not contact and is not supported on this surface.

Thus, it is accordingly believed to be clear that neither of the cited references, whether taken alone or in any combination, either show or suggest the features of claim 8 – 15 of the present application.

Respectfully submitted



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